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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,888	10/24/2005	Tadashi Hibino	Q91007	4654
23373 7590 04/13/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER BOSWELL, CHRISTOPHER J				
ART UNIT 3673		PAPER NUMBER		
MAIL DATE 04/13/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/553,888

Applicant(s)

HIBINO ET AL.

Examiner

CHRISTOPHER BOSWELL

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19, 21-22 and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2003/0160413 to Kinme et al.

Kinme et al. disclose a steering locking device comprising a locking device (6 and 52) for automatically locking a steering shaft (21) when a key of an ignition switch (7) is withdrawn in a state in which the key is withdrawable (paragraph 32), wherein a key mechanism section (7) and the locking device of the ignition switch are provided separately (figure 2), and the locking device is provided in a side portion of a lower outside of a housing of a speed reduction unit (contained within element 8; where the locking device is disposed on the lower end of the housing, external to the inner components; figure 4) of a column-type electric power steering apparatus (element 6 is disposed in the outside of the speed reduction unit housing; figure 2) and locks an output shaft (locking device 6 locks the speed reduction unit to prevent the output 22 from rotating) of the speed reduction unit on the side portion which is below the speed reduction unit (figure 4; the locking device is disposed on the lower side of the speed reduction unit), and the speed reduction unit reduces a drive force of a motor (4) and transmits it to the output shaft connected to the steering shaft (via worm gear 51), as in claim 19.

Kinme et al. also disclose where the locking device is provided on a yoke (figures 2 and 4) connected to the output shaft of the speed reduction unit, as in claim 21, and the locking device has a key lock collar (52), the key lock collar is formed on the output shaft via a ring member (52b), as in claim 22, and a groove (52c) for a key lock (6a) is formed to the output shaft, as in claim 24, as well as the locking device electrically makes a lock pin (6a) reciprocate based on a key information supplied via a harness connector (7), as in claim 25.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kinme et al., as applied above, in view of Armstrong.

Kinme et al. discloses the invention substantially as claimed. Kinme et al. discloses the locking device having a key lock collar (52) that is formed on the output shaft via a ring member (52b), and a groove (52c) on the key lock collar for a key lock (6a). However, Kinme et al. does not disclose how the key collar is fixed to the output shaft. Armstrong teaches of a steering lock device (10) having a lock collar (48 and 50) formed about a steering shaft (12), wherein the lock collar is affixed about the steering shaft by welding (column 4, lines 5-16) in the same field of endeavor for the purpose of attaining a strong joint without the possibility of fasteners becoming loosened. It would have been obvious to one with ordinary skill in the art at the time the

invention was made to weld the key lock collar of Kinme et al. to the output shaft by welding, as taught by Armstrong, in order to attain a strong joint without the possibility of fasteners becoming loosened.

Response to Arguments

Applicant's arguments filed January 21, 2009 have been fully considered but they are not persuasive. In response to the argument that the locking device of Kinme et al. does not have a constitution for locking an output shaft of the speed reduction unit provided on the side portion that is lower than the speed reduction unit, the examiner respectfully disagrees. Kinme et al. discloses a locking device that locks the speed reduction unit to prevent an output shaft of the speed reduction unit from rotating, where the locking device is on a side portion of the speed reduction unit which is on the lower side of the speed reduction unit as shown in figure 4.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER BOSWELL whose telephone number is (571)272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Boswell
Examiner
Art Unit 3673

/Peter M. Cuomo/
Supervisory Patent Examiner, Art Unit 3673

CJB /cb/
April 1, 2009